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Jessica Pallach

10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Barton et al.

Docket No.: TIVO0003C

Serial No: 09/827,029

Art Unit: 2615

Filed: April 5, 2001

Examiner: Unassigned

15 Title: MULTIMEDIA TIME WARPING SYSTEM

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Commissioner of Patents and Trademarks

Technology Center 2600

20 BOX DAC

Washington DC 20231

REQUEST FOR RECONSIDERATION OF PETITION DECISION

25 Sir:


This is in response to the Denied Petition to Make Special dated 09 August 2002 for the above-referenced patent application.

30 1. The Information Disclosure Statement, 1449 Form, and cited references previously filed with the parent application U.S. Patent No. 6,233,389 are of record and have been considered by the Examiner.

35 2. As per 37 CFR § 1.102(d), MPEP §708.02, item II: Infringement, the Petition to Make Special for the above cited application is complete and should not be denied. The cited references were already of record and had been considered by the Examiner in the parent application.

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Respectfully Submitted,


Kirk D. Wong
Reg. No. 43,284

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HIVO 0003 C

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DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

GLENN PATENT GROUP
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In re Application of:
James M. Barton, et al.
Application No.: 09/827,029
Filed: April 5, 2001
For: MULTIMEDIA TIME WARPING
SYSTEM

DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the petition under 37 C.F.R. § 1.102, filed July 19, 2002, to make the above-identified application special. The petition requests that the above-identified application be made special under the procedure set forth in M.P.E.P. § 708.02, item II: Infringement.

A grantable petition under 37 C.F.R. § 1.102(d), M.P.E.P. § 708.02, item II: Infringement, must be accompanied by the required fee and a statement alleging:

- (1) that there is an infringing device or product actually on the market or method in use;
- (2) that a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and
- (3) that he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art.

Further, Applicant must provide one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record.

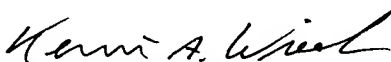
The petition does not include a copy of the references deemed most closely related to the subject matter encompassed by the claims.

The petition is **DENIED**.

Should applicant desire reconsideration, he or she should supplement this petition by including the information as outlined above. No further petition fee is required.

Any request for reconsideration must be filed within **TWO MONTHS** from the date of this decision.

The application is being forwarded to the Technology Center's Central Files and will await action in its regular turn.


Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications

